

TEMPORARY - AMENDED
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JAN 02 2001

Returned to applicant for correction _____

Corrected application filed JAN 19 2001

Map filed JAN 19 2001

The applicant **Circle Bar N Ranch**, hereby makes application for permission to change the **Place of Use of a portion** of water heretofore appropriated under **Permit 24013, Certificate 8286**

1. The source of water is **Underground**
2. The amount of water to be changed **1.73 c.f.s., 560.0 AFA**
3. The water to be used for **Irrigation and Domestic**
4. The water heretofore permitted for **Irrigation and Domestic**
5. The water is to be diverted at the following point **NW1/4SE1/4 Section 5, T.13 N., R.26 E., MDM, or at a point from which the SE corner of said Section 5 bears South 60°15'30" East, 2697.5 feet**
6. The existing permitted point of diversion is located within **no change**
7. Proposed place of use **140.0 acres within portions of the N1/2NW1/4 Section 4, S1/2SE1/4 Section 5, and NE1/4 Section 8, T.13 N., R.26 E., MDM**
8. Existing place of use **See attached**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **drilled well, pump and motor, and irrigation distribution system**
12. Estimated cost of works **existing**
13. Estimated time required to construct works **existing**
14. Estimated time required to complete the application of water to beneficial use **n/a**
15. Remarks: **See Attached**

Bruce R. Scott, Resource Concepts, Inc.
By s/ Bruce R. Scott
340 North Minnesota Street
Carson City, NV 89703

Compared cm/ cm^F hf/cm^f

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the place of use of a portion of the waters of an underground source as heretofore granted under Permit 24013, Certificate 8286 is issued subject to the terms and conditions imposed in said Permit 24013, Certificate 8286 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Temporary Permits 67045-T and 67046-T, and any waters of the Walker River Decree and any storage water appurtenant to the place of use shall not exceed 560.0 acre-feet per year for the irrigation of 140 acres. The permittee is responsible for insuring delivery of the entitled decreed and storage waters that are supplemental to Temporary Permits 67045-T and 67046-T. In any year that the Walker River Irrigation District has no decreed or storage water, or declares a reduced allocation of surface waters to the priority years of C-125 claims supplemental to Temporary Permits 67045-T and 67046-T, then the place of use of the permits can be irrigated with underground water, but not to exceed a duty of 4 acre-feet per acre per year from the total of decreed, storage, and underground waters.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from the well and the amount of water used.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **February 11, 2002** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.73 cubic feet per second, but not to exceed 560.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

TEMPORARY

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 12th day of February A.D. 2001


State Engineer

Item 8. Existing place of use

NE $\frac{1}{4}$ NE $\frac{1}{4}$ (38 ac), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (38 ac), SW $\frac{1}{4}$ NE $\frac{1}{4}$ (39 ac), NW $\frac{1}{4}$ NE $\frac{1}{4}$ (30 ac), NE $\frac{1}{4}$ SE $\frac{1}{4}$ (38 ac), NW $\frac{1}{4}$ SE $\frac{1}{4}$ (39 ac), and SW $\frac{1}{4}$ SE $\frac{1}{4}$ (5 ac) Section 5, SE $\frac{1}{4}$ NW $\frac{1}{4}$ (38 ac), SW $\frac{1}{4}$ NW $\frac{1}{4}$ (39 ac), NE $\frac{1}{4}$ SW $\frac{1}{4}$ (22 ac), NW $\frac{1}{4}$ SW $\frac{1}{4}$ (39 ac) Section 4, T.13 N., R.26 E., MDM, 365 acres total. 140.0 acres to be temporarily removed from irrigation with this application located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ (30 ac), NE $\frac{1}{4}$ NE $\frac{1}{4}$ (38 ac), SW $\frac{1}{4}$ NE $\frac{1}{4}$ (the northerly 24 ac), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (the northerly 24 ac) Section 5, SW $\frac{1}{4}$ NW $\frac{1}{4}$ (the northerly 24 ac) Section 4, T.13 N., R.26 E., MDM.

Item 15. Remarks

The water under this application is for irrigation of 140.0 acres. Desert Pearl Farms is leasing the land within the place of use from the Circle Bar N Ranch for approximately 2 years.

The water under base right Permit 24013 is partially supplemental to water rights under Permit 30521. The supplemental acreage within the existing place of use will be proportionately reduced during the period that the lease is in effect.

Use proof of beneficial use map on file at the Division of Water Resources under Permit 24013 to support the existing place of use and the proposed and existing point of diversion, and the attached sketch to support the proposed place of use.